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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 BYRON KEITH CHANT,

9 Plaintiff,

10 v.

11 CLARK COUNTY JAIL, SERGEANT J.
12 HUFF, COMMANDER RICHARD J.
13 BISHOP, CHIEF JAIL
ADMINISTRATOR BATTIES,
CUSTODY OFFICERS M. ADDY, AND
E. BJORMAN,

14 Defendants.

CASE NO. C12-5870 BHS-KLS

ORDER

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16 This matter has been referred to United States Magistrate Judge Karen L. Strombom
17 pursuant to 28 U.S.C. § 636(b)(1), Local Rules MJR 3 and 4, and Rule 72 of the Federal Rules of
18 Civil Procedure. The case is before the Court on defendants' motion for summary judgment.
19 (Dkt. 17). After reviewing the motion, the Court finds that defendants have failed to provide
20 plaintiff with summary judgment warnings contemporaneously with the filing of their motion.

21 On November 16, 2012, when the Court ordered service of this action the Court stated
22 that failure to file and serve the notice may result in striking a motion with leave to refile (Dkt. 8
23 pp. 4-5). Accordingly, defendants' motion for summary judgment, (Dkt. 17), hereby is **stricken**
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1 **from the record with leave to re-file.** The Court extends the dispositive motion deadline until
2 February 28, 2014 and the Court extends the joint status report date June, 20, 2014.

3 The Clerk is directed to send a copy of this Order to Plaintiff.

4 Dated this 22 day of January, 2014.

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7 Karen L. Strombom
8 United States Magistrate Judge
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